

## STATEMENT OF BASIS

as required by LAC 33:IX.2413.A, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0122530** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

**I. THE APPLICANT IS:** Krause & Managan Lumber Company, Ltd  
Krause & Managan Lumber Co. Construction/Demolition Debris Landfill  
P. O. Box 163  
Sulphur, Louisiana 70663

**II. PREPARED BY:** Darlene G. Bernard

**DATE PREPARED:** January 30, 2007

**III. PERMIT ACTION:** Issuance of LPDES permit LA0122530

An LPDES Notice of Intent (C&D-G) was received on April 20, 2006

**IV. FACILITY INFORMATION:**

A. FACILITY TYPE/ACTIVITY - Construction and Demolition Debris and Woodwaste Landfill

B. The facility was issued a solid waste permit on March 26, 1999.

C. The facility is located at 1360 North Beglis Parkway, Sulphur, Calcasieu Parish, Louisiana.

D. Description of Outfall(s) and Discharge:

Outfall 001 (existing)

Discharge Location: Latitude 30°15'30" North Longitude 93°21'29" West

Description: (intermittent) stormwater runoff from the active landfill area and recycling area

**V. RECEIVING WATERS:**

The discharge is into Houston Canal, thence into the Houston River in segment 030806 of the Calcasieu River Basin.

Segment 030806 of the Calcasieu River Basin was previously listed as impaired for organic enrichment/low DO, for which the below TMDL has been developed. Segment 030806 was also listed as impaired for Mercury. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue the permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

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TMDL for Dissolved Oxygen for the Houston River.

The Houston River Watershed TMDL for Biochemical Oxygen Demand was last revised in December 2001. The study concluded that water quality standards for DO could be met with a decrease in nonpoint source pollution. LDEQ agreed to work with other agencies such as the Soil Conservation Service to reduce nonpoint source pollution and continue ambient monitoring. Nonetheless, BOD<sub>5</sub> limits are included in the permit to protect against the potential for discharges of pollutants that will result in the oxygen levels below the stream standard. BOD<sub>5</sub> is used as a method to measure the amount of dissolved oxygen in the waste stream utilized by organisms during the decomposition of organic material over a five day period. Monitoring for BOD<sub>5</sub> allows for the determination of the rate of oxidation in the waste stream.

Although TMDL's for the Calcasieu Basin were due to be completed by 2001, a TMDL has not yet been developed for the existing Mercury impairment. A TMDL will be scheduled for development following completion of TMDL's under the EPA Consent Decree TMDL schedule. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a future Mercury TMDL. All currently effective Louisiana Mercury TMDL's state that while there are many potential sources of mercury to waters of the state of Louisiana, over 99% of the pollutant load comes from the atmospheric deposition of mercury from global and local sources. Current EPA effluent guidelines for the landfills point source category do not indicate mercury would be expected in discharges from a construction and demolition debris landfill. Because current Louisiana Mercury TMDLs do not indicate mercury is discharged from the operation of construction and demolition debris landfills mercury requirements will not be placed in this permit.

The designated uses and degree of support for Segment 030806 of the Calcasieu River Basin are as indicated in the table below <sup>1/</sup>:

Overall Degree of Support for Segment 030806	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Full	Full	Not	N/A	N/A	N/A	Full

<sup>1/</sup>The designated uses and degree of support for Segment 030806 of the Calcasieu River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3), and the 2000 Water Quality Management Plan, Volume 5, Part B, Water Quality Inventory respectively. This segment is listed on the 1999 Modified Court Ordered 303(d) list as being impaired.

## VI.

ENDANGERED SPECIES:

The receiving waterbody, Subsegment 030806 of the Calcasieu River Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was

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determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

**VII.****HISTORIC SITES:**

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

**VIII.****PUBLIC NOTICE:**

Upon publication of the public notice in the Department of Environmental Quality public Notice Mailing List, and the local newspaper of general circulation, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit to the LDEQ contact person, listed below, and may request a public hearing to clarify issues involved in the permit decision. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

For additional information, contact:

Ms. Darlene Bernard  
Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

**IX.****PROPOSED PERMIT LIMITS:****Final Effluent Limits:****OUTFALL 001**

Effluent Characteristics	Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow-MGD	Report	Report	1/month	Estimate
TSS	27 mg/l	88 mg/l	1/month	Grab
BOD	37 mg/l	140 mg/l	1/month	Grab
Ammonia	4.9 mg/l	10 mg/l	1/month	Grab
Alpha Terpineol	0.016 mg/l	0.033 mg/l	1/month	Grab
Benzoic Acid	0.071 mg/l	0.12 mg/l	1/month	Grab
p-Cresol	0.014 mg/l	0.025 mg/l	1/month	Grab
Phenol	0.015 mg/l	0.026 mg/l	1/month	Grab
Zinc (Total)	0.11 mg/l	0.20 mg/l	1/month	Grab
pH - Allowable Range (Standard Units)	6.0 (Minimum)	9.0 (Maximum)	1/month	Grab

The limits are based upon the General Permit for Construction/Demolition Debris and Woodwaste

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Landfills and EPA guidelines at 40 CFR Part 445.

**Other Effluent Limitations****1) pH**

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.2645.C.). If the pH is below 6.0 standard units or above 9.0 standard units, then the Monitoring Frequency shall increase to 1/week. This increased frequency shall continue until a sample demonstrates a value between 6.0 and 9.0 standard units.

**2) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**X. PREVIOUS PERMITS:**

NONE

**XI. ENFORCEMENT AND SURVEILLANCE ACTIONS: (water only)****A) Inspection(s)**

None

**B) Compliance and/or Administrative Orders**

A review of the files indicates the following most recent enforcement actions administered against this facility: (water only)

**EPA Issuance:** None**LDEQ Issuance:** None**C) DMR Review**

There are no DMR's on file for this facility.

**XII. TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue this permit for the discharge described in this Statement of Basis.

**XIII. REFERENCES:**

Louisiana Water Quality Management Plan, Vol. 8, Appendix A "Areawide Effluent Limits Policy", Louisiana Department of Environmental Quality, 2001.

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Louisiana Water Quality Management Plan, Vol. 5, Part B, "Water Quality Inventory", Louisiana Department of Environmental Quality, 2000.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 2002.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 23 - "The LPDES Program", Louisiana Department of Environmental Quality, 2002.

LPDES Notice of Intent Construction/Demolition Debris and Woodwaste Landfills General Permit Application Modification for Vicman Development Site 101, January 7, 2002.